

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

VERNON W OFFICER, JR,

Plaintiff,

v.

STATE OF WASHINGTON et al.,

Defendants.

CASE NO. 2:23-cv-00860-TL

ORDER ON PLAINTIFF'S MOTION
FOR CONTINUANCE


This matter is before the Court on Plaintiff's Motion for Continuance. Dkt. No. 13. Specifically, Plaintiff asks for a one (1) year extension of the Court-issued deadline to amend his complaint to state a plausible claim for relief. *Id.* at 1; *see also* Dkt. No. 10 (Order of Dismissal with Leave to Amend), Dkt. No. 11 (Minute Order granting Plaintiff's previous request for more time). Plaintiff notes that he has secured the assistance of legal counsel to review his case and potentially provide guidance on how to appropriately respond to the Court's prior Order of Dismissal. Dkt. No. 13 at 1. Plaintiff argues that additional time is required to allow his counsel to review the large volume of materials associated with his case. *Id.*

1 The Court has broad discretion to grant a time extension for good cause, especially when
2 sought in advance of the deadline. Fed. R. Civ. P. 6(b)(1). As with all civil procedural rules, the
3 Court is required to “liberally construe[Rule 6(b)(1)] to effectuate the general purpose of seeing
4 that cases are tried on the merits.” *Ahanchian v. Xenon Pictures, Inc.*, 624 F.3d 1253, 1259 (9th
5 Cir. 2010) (internal quotation marks omitted) (quoting *Rodgers v. Watt*, 722 F.2d 456, 459 (9th
6 Cir. 1983)).

7 In this case, the Court FINDS good cause to allow more time for Plaintiff to attain legal
8 advice. That said, Plaintiff originally filed his deficient complaint more than six (6) months ago,
9 and he has had four (4) months to review the Court’s prior Order of Dismissal to correct the
10 identified deficiencies. The Court is not persuaded that an additional year-long extension is
11 warranted.

12 Nonetheless, in the interest of “effectuat[ing] the general purpose of seeing that cases
13 [proceed] on the merits,” the Court GRANTS Plaintiff a three (3) month extension (which will
14 provide Plaintiff with a total of seven months to correct the identified deficiencies with his prior
15 complaint) and ORDERS Plaintiff to file an Amended Complaint that plausibly states a claim for
16 relief and complies with this Court’s prior Order of Dismissal (Dkt. No. 10) by **no later than**
17 **Friday, March 1, 2024**. Plaintiff’s failure to meet this deadline or any of the requirements
18 included in the Court’s prior order will result in the dismissal of this action with prejudice.

19 Dated this 7th day of December 2023.

20
21 
22 Tana Lin
23 United States District Judge
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